

July 7, 2019

This written testimony is a submission to the Oregon State Senate Conduct Committee, for inclusion in the hearing materials; for the Hearing to be conducted on July 8, 2019, at 9:00 AM.

Subject: Hostile Work Place, Work Place Violence, Harassment & Discrimination

Dear Chair Prozanski, and Members of the Oregon State Senate Conduct Committee:

My submission to this Committee is not only for inclusion in the Oregon State Senate Conduct Committee's July 8, 2019, 9:00 AM hearing materials, but also is notice of my initiation of a formal workplace violence and equal employment opportunity discrimination complaint with federal authorities.

There is no denying that from the beginning of the 2019 Legislative Session to Sine Die, the workplace within the Oregon State Capitol had an atmosphere of hostility, and dismissiveness toward the minority party, and in particular to the Oregon State employee staff that supports the minority party members. I will elaborate on this in the last portion of my submission.

The tension and hostility progressed during the first walkout of minority senators, with hyperbole being fostered and encouraged by the senate majority leadership. At the end of the first walk out and the upon the return of the republican senators, the running mantra and gossip throughout the State Capitol, was " if you walk out again, you will be drug back by our State Police, in leg irons and handcuffs, chained to your desks in orange jumpsuits, until we pass our bills, we only need 2 of you!" These comments and others similar in nature, were never addressed, indeed, the senate majority leadership was silent, as was the Acting Human Resources Director. They heard the gossip, they heard the remarks, but they remained silent.

In the second walkout, an illegal order at the request of Senate President Courtney to the Governor, to dispatch their State Police to seek and find the recalcitrant republican senators, and bring them back to the Senate Floor was initiated. From this order, which I believe is illegal, the hostility progressed even further. This was especially so to those of us serving in our state employment capacity as member staff. It quickly, proceeded into threats of violence to me and my family during the 9 day denial of quorum. In my state office alone I have saved over 30 threatening

telephonic messages. Those messages include threats against me, and my 5 living children and monstrous comments regarding my late son. The emails are numerous as well and also saved digitally. I received threats in my rural mailbox and in the official Senate mail also. Many of these treats included a listing of my name and the names of my children, and our home address. All this occurring while my husband the senator and the other 10 republican senators were out of State. No one in the Senate Majority Leadership or in the Human Resources Office addressed these threats and what our actions as employees may or should be. We counted on our caucus staff for information. Our caucus staff is not Human Resource experts, and did not always have current or up to date information. The senate majority leadership and the Human Resources Department were silent. Indeed, the whispered comments, were, that we deserved this, for supporting our senators. Again, the rumor mill buzz in the building pushed for the idea that not only the fine of \$500.00 a day enacted solely on the missing republican senators but on their staff as well if they were missing from the State Capitol. No one from Human Resources came to see how we were doing, they were silent. No one from the Senate majority came to check on us, with the lone exception of Senator Riley. He was most concerned about our situation, and showed sensitivity and kindness.

The additional fanning of the flames of hostility in the work place came with the sensationalizing of the journalistically edited quote from my husband, Senator Boquist. His quote was in many cases edited by others. He never said shoot to kill, and often his entire comment was cropped into a four word blast. His comment was an impassioned response to a very real threat of arrest, detainment, kidnapping and confinement, without a crime, or a judge's warrant; originating with the Senate President through to the Executive Branch. The threat of work place violence begins with the Senate President and the Governor. They never bracketed back their hyperbole and their use of the image of a 'toolbox' which has many tools to be used punitively against the minority senators. The press and others enhanced the hyperbole by misquoting and providing dramatic suppositions of outcomes if bills were not passed, now. This of course was a little disingenuous as for the first time in my knowledge of chamber history, this session had earlier in the calendar in both chambers, passed a continuing resolution. The budget was good until mid-September. This was never address by the Senate President. He did nothing to calm the situation. He did nothing to set the record straight. He did nothing to bring out truth to lies. Indeed, again he was silent. He allowed the chaos and drama to continue and spiral into an international news story for his own political benefit, and to the detriment of those state employees working in their

state capacity serving as senate republican member staff in state offices and some serving their constituents in the senate districts offices.

There was no imminent budgetary crisis. But there was plenty to be said on social media. The hyperbole and the miss-information continued, and the threats increased. Senate majority members provided and promoted by words and video on twitter, facebook and youtube their personal animas toward the missing minority members. See attachments screen shots from social media sources from both Senator Burdick, and Senator Manning, referring to the minority senators as TERRORISTS. In addition, some house members mentioned we should be placed in reeducation camps as well. No one in leadership attempted to clarify, or bracket back the hyperbole. This situation brought with it continued targeting via telephonic messaging and in email threats and vulgarities to the minority staff employees in the State Capitol, and in District Offices. I was working at the State Capitol Building and saw this escalation of hostility and tension first hand.

The use of an illegal order to the Oregon State Police, to locate, compel, arrest, detain, bring to the Senate Floor, non-criminals, without a judge's authorized warrant, by one in supreme power and authority can only be described as an 'abuse of their power and authority'. We have not seen the "order" but we have been living with the 'threat' of that order. Threats to me, my children and even my cow, yes even my cow was mentioned in a telephone message. These particulars of threats have been sent to me via snail mail, email, and by telephone. I take them seriously, and have been on watch since the first snail mail letter arrived in my rural post mailbox. If you doubt my claims, there are official case files with the Polk County Sheriff's Office and reports to the Oregon State Police within the Oregon State Capitol.

Giving and following an illegal order in the United States Military is a criminal offense. If our State Police had obeyed this order, would they have been personally liable for false imprisonment under the United States Code? Was this possibility of their personal liability in executing this order thought through by those in authority? Was it discussed in the decision making process by those in power and authority? These questions must be asked, especially if it turns out that my belief is correct, and the order was illegal. My sincere and heartfelt gratitude is given to Oregon's Finest. The Oregon State Police who have remained a professional force, in spite of their difficult position in receiving what I believe are illegal orders, issued by Senate President Peter Courtney and Governor Kate Brown. The Oregon State Police during this tense and hostile period in the legislature, have shown their quality. They have demonstrated their quality in no

small way by rising above the partisan politics, divisiveness and the dross that exists in the Oregon State Capitol at this time. I will be forever grateful for their personal high standards of conduct and assistance to me and my family, during this most cruel and hostile episode in our State Legislative history.

The remaining portion of my comments covers the steps and failures that have led to, in my estimation, the beginnings of the tense work environment for member staff in the Oregon State Capitol. These comments cover the back story for ‘retaliation and retribution’ to my husband, Senator Brian Boquist. It is my belief, that the Senate Conduct Committee Hearing proceeding is indeed retaliation and retribution for Senator Boquist’s work in uncovering and exposing many of the problems of pay equity, and the sexual harassment scandal’s full story.

The tension began at the beginning of the session with the mandatory EEOC training experience. It is common knowledge that many of the after action reviews of participants in the training classes expressed the training was a total failure. Indeed, a new set of training dates were provided as an attempted fix to this situation. There was no clear guidance of how an ‘at will employee’ can submit a complaint in total anonymity, for a sexual harassment experience. This is still not clarified today. ‘at will employees’ that have sought my advice, I refer to the Federal EEOC as I do not have faith, or trust with leadership or our acting HR Director to keep private their complaint, and not retaliate to these vulnerable and fearful ‘at will employees.’

That tension to employees continued to strengthen during the implementing of the new pay equity law. The evaluations of member staff and their determinations of range and step for payroll were never fully clarified. This goes back to September 2018. Employees openly called it institutionalized pay equity discrimination to protect outliers. The protected classes and their evaluations were not addressed with any clarity. The inequity, of the implementation of the new Pay Equity Law has reached down to the very core of our ‘at will’ staff within the building. Leadership was silent in September 2018 and remains silent today. Indeed, the new question of bonuses or compensation time often provided, especially to interns, at the end of session, was not available to member staff this session, and intentionally blocked by leadership for member staff when inquiry was made.

The last item I will discuss within this submission is the sexual harassment investigation and settlement signed by leadership with the Oregon Labor Commissioner. The victims were provided a monetary settlement of over 1.3 million dollars. They deserve more! Their suffering is incalculable. **The more**, of

which I speak, is those perpetrators and aiders and abettors of sexual misconduct, and harassment should be outed. We have staff in the building right now working for those perpetrators aiders and abettors, and they do not know. Those perpetrators aiders and abettors were not brought before a conduct committee, they were not formally admonished. Indeed, they were provided cover or covered by leadership and continue to receive that cover even to this day. New hires could work for them tomorrow and have no idea they are working with aiders, abettors, or perpetrators themselves. At a minimum, they should have been brought before a ‘conduct committee’ but that too I believe, was blocked.

Those that are guilty of sexual harassment, and their aiders and abettors are still hidden among us. The actions in the form of public records requests, to reveal those perpetrators of harassment and the aiders and abettors have been the mission of Senator Boquist. His myriads of public records requests and other notices of pertinent information provided to all members and all staff have made the senate majority leadership very anxious. They have taken this opportunity to attack free speech, free speech in defense of an illegal order, to muzzle, and vacant if possible a sitting Senator who often brings to light things that many in power want left in the dark.

Retaliation and Retribution is alive and well, in the Oregon State Capitol, a minority voice shines a light into the darkness, and the majority wants that light to be put out.

Peggy L. Boquist
State Employee
Legislative Branch

Here is a link to the article in the screenshot below: <https://www.foxnews.com/politics/oregon-senate-closes-due-to-possible-militia-threat-after-republican-walkout>

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